

Message Text

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43/15

ACTION DLOS-06

INFO OCT-01 AF-08 NEA-10 IO-13 ISO-00 EUR-12 EB-07 COME-00

NOTE-00 OES-06 SAL-01 SS-15 NSC-05 TRSE-00 CIAE-00

INR-07 NSAE-00 PRS-01 /092 W
----- 037628

R 141101Z AUG 76

FM AMEMBASSY NOUAKCHOTT

TO SECSTATE WASHDC 6164

INFO AMEMBASSY DAKAR

AMEMBASSY RABAT

AMCONSUL CASABLANCA

USMISSION USUN NEW YORK

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C O R R E C T E D C O P Y P A R A 3 .

CASABLANCA FOR FISHERIES ATTACHE

E.O. 211652: N/A

TAGS: EFIS, PLOS, PFOR, MR, SS

SUBJECT: MARITIME ZONE OFF MAURITANIAN PORTION OF WESTERN SAHARA

REF: NOUAKCHOTT 1860

SUMMARY: MAURITANIAN FONMIN SENT NOTE VERBALE TO ALL DIPLOMATIC MISSIONS AUGUST 10 WHICH SET FORTH GIRM POSITION ON MARITIME ZONE OFF ITS PORTION OF WESTERN SA BRA. IN EFFECT, MAURITANIAN CLAIMS 30 NAUTICAL MILES BEGINNING AT 24TH PARALLEL SOUTH TO ITS PVIOUS MARITIME BORDER WITH EX-SPANISH SAHARA AND CONTINUING TO BZDER WITH SENEGAL. CLARIFICATION IS ALMOST CERTAINLY CONSEQUENCE OF SEIZURE OF SOVIET FISOING VESSLES DURING JUNE (REFTEL). MTTE REQUESOU THAT RECIPIENTS DISSEMINATE THIS INFO TO APPROPRIATE AUTHORITIES. END SUMMARY.

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1. INFORMAL TRANSLATION FROM FRENCH OF NOTE VERBALE NO. 1080 DATED AUGUST 10, 1976 FOLLOWS: QTE THE MINISTRY OF STATE FOR FOREIGN AFFAIRS OF THE ISLAMIC REPUBLIC OF MAURTIANIA PRESENTS ITS COMPLIMENTS TOTHE DIPLOMATIC

MISSIONS ACCREDITED TO MAURITANIA AND, REFERRING TO ITS ATTACHED NOTE NO. 81 OF JANUARY 19, 1976, RELATIVE TO THE ACTIVITIES OF FOREIGN FISHING VESSELS OFF THE COAST BETWEEN NOUADHIBOU AND DAKHLAUND TO LAW NO 76 098 RELATIVE TO THE DESIGNATION OF THE BORDER BETWEEN THE KINGDOM OF MOROCCO AND MAURITANIA, HAS THE HONOR TO BRING THE FOLLOWING TO THEIR ATTENTION:

THE ABOVE REFERENCED LAW WHICH FIXES THE BORDER BETWEEN MOROCCO AND MAURITANIA HAVING BEEN RATIFIED. THE NORTHERN BOUNDARY OF MAURITANIA'S MARITIME FRONTIER FOLLOWS THE 24TH PARALLEL.

CONSEQUENTLY, THE MARITIME ZONE LOCATED BETWEEN THE PREVIOUS NORTHERN BORDER OF MAURITANIA WITH THE FORMER SPANISH SAHARA AND THE NEW MAURITANIAN/MOROCCAN BOUNDARY BECOMES AN INTEGRAL PART OF MAURITANIA AND IS SUBJECT TO THE SAME CONDITIONS APPLYING TO THE REST OF THE MAURITANIAN ZONE AS CONCERNING NAVIGATION AND FISHING.

THE MINISTRY OF STATE FOR FOREIGN AFFAIRS WOULD BE GRATEFUL IF YOU WOULD BRING TO THE ATTENTION OF APPROPRIATE AUTHORITIES OF YOUR COUNTRY THE CONTENTS OF THIS NOTE AND TAKES THIS OCCASION TO RENEW THE ASSURANCES OF ITS HIGHEST CONSIDERATION. UNQUOTE.

2. INFORMAL TRANSLATION FROM FRENCH OF NOTE VERBALE NO. 81 DATED JANUARY 19, 1976 FOLLOWS (EMBASSY DID NOT RECEIVE COPY WHEN IT WAS DISTRIBUTED LAST JANUARY; PRESUMABLY BECAUSE THERE ARE NO US BOATS FISHING IN THESE WATERS):

QUOTE THE MINISTRY OF STATE FOR FOREIGN AFFAIRS OF THE ISLAMIC REPUBLIC OF MAURITANIA PRESENTS ITS COMPLIMENTS TO THE DIPLOMATIC MISSIONS ACCREDITED TO MAURITANIA AND HAS THE HONOR TO BRING THE FOLLOWING TO THEIR ATTENTION: THE GOVERNMENT OF MAURITANIA WISHES THAT FISHING VESSELS LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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OF YOUR COUNTRY WHICH MIGHT PRESENTLY BE LOCATED OFF THE COAST BETWEEN NOUADHIBOU AND DAKHLA (VI TTTTTT OS) ABSTAIN FROM FISHING WITHIN THIRTY NAUTICAL MILES OF THE COAST.

WHEN CONDITIONS OF COMPLETE SECURITY ARE ASSURED, FISHING ACTIVITY IN THIS ZONE WILL BE ABLE TO RECOMMENCE IN ACCORDANCE WITH MAURITANIAN REGULATIONS CONCERNING FISHING AND WITHIN THE CONTEXT OF PREVIOUS AGREEMENTS BETWEEN VARIOUS SHIP OWNERS AND OPERATORS AND THE MAURITANIAN MINISTRY IN CHARGE OF FISHING.

THE MINISTRY OF STATE FOR FOREIGN AFFAIRS WOULD BE GRATEFUL IF YOU WOULD BRING TO THE ATTENTION OF APPROPRIATE AUTHORITIES OF YOUR COUNTRY THE CONTENTS OF THIS NOTE AND TAKES THIS OCCASION TO RENEW THE ASSURANCES OF ITS HIGHEST CONSIDERATION. UNQTE.

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3. COMMENT: AUGUST 10 NOTE VERBALE ALMOST CERTAINLY WAS PRECIPITATED BY RECENT SEIZURE AND FINING OF SOVIET FISHING VESSELS OFF MAURITANIAN PORTION OF WESTERN SAHARA (REFTEL). AS WE REPORTED IN REFTEL, LEGAL STATUS OF WATERS OFF WESTERN SAHARA WAS UNCLEAR EVEN TO LOCAL MAURITANIAN AND EXPATRIATE JURISTS. WE ARE NOT IN A POSITION TO ASSESS WHETHER ISSUANCE OF THIS NOTE VERBALE HAS STRENGTHENED GIRM LEGAL POSITION. INDEED, VERY USE OF NOT VERBALE FOR THIS KIND OF ANNOUNCEMENT WOULD SEEM TO BE UNUSUAL. WHATEVER FINE POINTS OF LEGAL ARGUMENTATION MAY BE, HOWEVER, IT IS CLEAR FROM MFA NOTE AND FROM SEIZURE, DETENTION AND FINING OF SOVIET TRAWLERS THAT GIRM INTENDS TO ENFORCE THE EXTENT OF ITS ABILITY JURISDICTION IT HAS ASSERTED OFF ITS PORTION OF WESTERN SAHARA (TIL S EL SHARBIA). WE LEAVE TO DEPARTMENT DECISION AS TO WHETHER INFORMATION CONTAINED IN MFA NOTES SHOULD BE CIRCULATED WITH U.S. KY MARITIME CIRCLES. IF INFORMATION IS DISSEMINATED, HOWEVER, EMBASSY WOULD APPRECIATE COPY OF CIRCULAR MESSAGE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 15 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TERRITORIAL WATERS, FISHING INDUSTRY, SHIP DETENTION
Control Number: n/a
Copy: SINGLE
Draft Date: 14 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976NOUAKC01962
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: D760313-0703
From: NOUAKCHOTT
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t197608103/baaaenjq.tel
Line Count: 143
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAY 2004 by greeneet>; APPROVED <13 OCT 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MARITIME ZONE OFF MAURITANIAN PORTION OF WESTERN SAHARA
TAGS: EFIS, PLOS, PFOR, MR, SS, UR
To: STATE INFO DAKAR
RABAT
CASABLANCA
USUN N Y
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

